

PENACHIO MALARA LLP
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HEARING DATE & TIME:
T/B/A

Anne Penachio, Esq.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
In re : CHAPTER 11

SAMMY ELJAMAL, :
Case No.: 15-22872
Debtor :
-----X

THE DEBTOR'S APPLICATION TO REDUCE CLAIM NUMBERED 14 OF GAS LAND PETROLEUM, INC. AND FOR SUCH OTHER RELIEF AS MAY BE APPROPRIATE

SAMMY ELJAMAL, the debtor herein (the "Debtor") by and through his counsel, PENACHIO MALARA LLP, in support of his motion to reduce the claim numbered 14 of GAS LAND PETROLEUM, INC. ("Gas Land") and for such other relief as may be appropriate, respectfully sets forth as follows:

1. On or about March 24, 2015, the Debtor filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code, as amended (the "Bankruptcy Code") with the Clerk of this Court and the case was referred to the Bankruptcy Judge herein.
2. Since the filing, the Debtor has operated as a debtor-in-possession pursuant to Section 1107 and 1108 of the Bankruptcy Code.
3. An official committee of unsecured creditors has been formed. No trustee or examiner has been appointed.

4. The Debtor is an individual in the business primarily of operating a gasoline service station including one from the premises at Main Street in Armonk, New York (the “Armonk Station”).

5. The Armonk Station is a Chapter 11 debtor pending before this Court bearing case number 15-22375.

6. Gasland Petroleum, Inc. (“Gasland”) filed claim numbered 4 against the Armonk Station. The claim against the Armonk Station emanates from a breach of contract claim.

7. The Armonk Station objected to Gasland’s claim. The objection is filed as ECF # 134 and the Court is respectfully referred hereto (the “Armonk Objection”).

8. Gasland alleges that the Debtor is personally liable for the Armonk Station’s obligation to it. Gasland filed claim numbered 14 against the Debtor which claim is nearly identical to claim numbered 4 filed against the Armonk Station. A copy of claim numbered 14 filed against the Debtor is attached hereto as Exhibit A.

9. The Debtor objects to Gasland’s claim numbered 14 for the reasons set forth in the Armonk Objection.

10. The Debtor specifically adopts and incorporates the Armonk Objection as the basis for his objection to Gasland’s claim.

11. The Debtor respectfully requests that the Court de facto consolidate the instant objection with the Armonk Objection because they involve nearly identical facts and implicate the same legal principals.

12. No prior application for the relief requested herein has been made.

Notice of this application has been served upon Gasland and interested parties.

WHEREFORE, the Debtor respectfully requests that the Court grant the relief as sought herein, and such further relief as is just and proper.

Dated: White Plains, NY
March 29, 2016

PENACHIO MALARA LLP

/s/ Anne Penachio
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